

REMARKS

Claims 1, 4-8, 10, 15-20, 22-25 were pending in the application. All the claims were rejected.

By way of this amendment, the Applicant has amended Independent Claims 1, 15, and 23 and has amended Paragraph [0024] of the specification. Accordingly, Claims 1, 4-8, 10, 15-20, 22-25 are pending in the application.

Summary of Telephone Interview

The Applicant called the Examiner on April 13, 2006 requesting a telephone interview regarding the previous office action, which was courteously granted. The Applicant proposed amending the second to last sentence in paragraph [0024] in the specification to clarify that the capping apparatus provides insufficient torque to overcome the seating action. The Applicant also proposed amending the claim 1, 15, and 23 to clarify that each of the ribs is connected to the interior of the closure body to permit pivotal movement of each respective rib. The Examiner tentatively agreed with the proposed amendments.

Objections to the Specification

The Examiner rejected the specification because the second to last sentence in paragraph [0024] was unclear. In particular, the Examiner was concerned about the language “insufficient to overcome same”, and more particularly, to what the word “same” was specifically referring.

The Applicant submits the replacement paragraph [0024] which replace the word “same” with the words “the seating action”. It is believed that this language clarifies that the capping

apparatus has insufficient torque to overcome the seating action of the lug of the container and ribs of the stop wall when the dispensing closure is connected to the container.

Therefore, the Applicant respectfully requests withdrawal of this rejection and allowance of the pending claims.

Claim Rejections Under 35 U.S.C. § 112, second paragraph

The Examiner rejected all of the claims as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. In particular the Examiner was concerned about the language “to permit pivotal movement” in the independent claims, and more particularly, to which structure the language referred.

The Applicant has amended the independent claims to read “to permit pivotal movement of each respective rib” to clarify that one end of each rib is joined to the interior of the closure body so that each rib may pivot.

Therefore, the Applicant respectfully solicits reconsideration of the pending claims.

Conclusion

In view of the foregoing, the Applicant respectfully solicits reconsideration of the pending claims.

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The USPTO is authorized to charge any additional fees incurred as a result of the filing hereof or credit any overpayment to our account #02-0900.

Respectfully submitted,

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